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Below are the business community's recommended priorities for the 2013 rule-making.

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I. Tie-up any loose ends from the 2012 Rule-Making that we deferred to 2013.

- (a) The exceptions to the categorical exemptions for minor new construction in WAC 197-11-800(1), (2) and (3) for:
 - (i) projects undertaken wholly or partly on lands covered by water. Clarify what this means in light of overall purpose of rule-making to update categorical exemptions in light of numerous programs directly regulating impacts on environment adopted or implemented since SEPA Rules were adopted in 1984. I.e., development of federal 404 and Rivers and Harbors Act regulatory programs; GMA critical areas regulatory requirements; implementation of SMA; expansion of Hydraulic Projects Approval program;
 - (ii) Projects that require rezones. Clarify.
 - (iii) Projects that require air emission or water discharge permits. Air permits are routinely required for any building demolition that are usually necessary for small infill development that is encouraged by GMA but often opposed by neighbors.
- (b) Clarify the relationship between the exemption for minor new construction of single family residences and the minor land use decision exemption for only short plats.
- (c) Provide more specific guidance to local governments on the findings and process requirements for increasing minor new construction categorical exemption levels. Ecology, counties and cities collaborate to develop model findings/process.
- (d) Revisit increasing minimum levels of exemptions for minor new construction or establishing new default levels higher than minimum levels with authorization for local governments to reduce to minimum levels.

2. Revise WAC 197-111-210 through-232 authorizing the integration of SEPA review and GMA implementation processes.
3. Create categorical exemptions for minor code amendments for which SEPA review would not be required because they do not lessen environmental protection.
4. Update but do not decrease the thresholds for all other project actions not addressed in 2012 rule-making. (This should be deferred to mid-2012 to provide time for all interest groups to develop proposed updates/revisions).
5. Revisit 2012 rule-making in light of 2013 proposed rule revisions. In doing so, clarify the effects of WAC 197-11-305(1)(b), which potentially negates all categorical exemptions, in light of the numerous direct environmental regulatory programs that have been adopted or implemented since the SEPA Rules were adopted in 1984.

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